

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 113.1004
Date: June 11, 2003

In re application of: **Michael HAUSMANN**
Serial No.: 09/462,435
Filed: 06/19/2000
For: **WAVE FIELD MICROSCOPE, METHOD FOR WAVE FIELD MICROSCOPE, INCLUDING FOR DNA SEQUENCING, AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY**

Sir:

Transmitted herewith is an **Petition for Revival for Patent Abandoned Unintentionally (2 pages)** in the above-identified application.

Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
 No fee for additional claims is required.
 A filing fee for additional claims calculated as shown below, is required:

(Col. 1)	(Col. 2)	SMALL ENTITY		OR	LARGE ENTITY	
		RATE	Fee		RATE	Fee
FOR:	REMAINING AFTER	HIGHEST PREVIOUSLY PAID FOR	PRESENT EXTRA			
TOTAL CLAIMS	* Minus**	=	0	1 x \$ 9	1 x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0	1 x \$ 40	1 x \$ 80	\$
1 FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+\$135	+\$270		\$
				TOTAL: \$	OR	TOTAL: \$

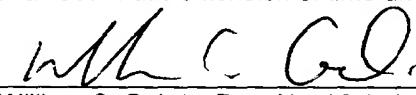
* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

Also transmitted herewith are:
 Petition for extension under 37 C.F.R. 1.136
 Other: **Response to Restriction Requirement dated 09/05/2002**

Check(s) in the amount of **\$650.00** is/are attached to cover:
 Filing fee for additional claims under 37 C.F.R. 1.16
 Petition fee for extension under 37 C.F.R. 1.136
 Other: **Fee Petition for Revival (Small Entity)**

The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 Any patent application processing fees under 37 C.F.R. 1.17.
 Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


William C. Gehris, Reg. No. 38,156

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor

New York, New York 10018

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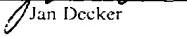
JUN 17 2003

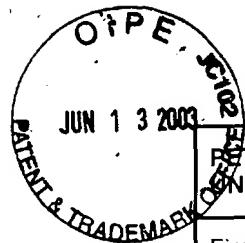
OFFICE OF PETITIONS

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on June 11, 2003.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:


Jan Decker



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
113.1004

First named inventor: Michael HAUSMANN

Application No.: 09/462,435

Group Art Unit: 2878

Filed: 06/19/2000

Examiner: Sisson, Bradley L.

Title: WAVE FIELD MICROSCOPE, METHOD FOR A WAVE FIELD MICROSCOPE, INCLUDING FOR
DNA SEQUENCING, AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity - fee \$650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Restriction Requirement dated 09/05/2002 (identify type of reply):

has been filed previously on .
 is enclosed herewith.

B. The issue fee of \$.
 has been paid previously on .
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

3. Terminal disclaimer with disclaimer fee

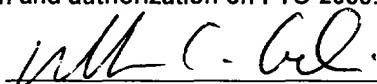
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$____ for a small entity or \$____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 11, 2003



Date

Signature

Telephone

William C. Gehris, Reg. No. 38,156

Number: (212) 736-1940

Typed or printed name

485 Seventh Ave., 14th Floor

Address

New York, NY 10018

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

June 11, 2003



Signature

Date

Jan Decker

Typed or printed name of person signing certificate